



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

Am

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/963,408	09/27/2001	Nobuo Hashimoto	018656-250	8994

7590 05/18/2005

Platon N. Mandros
BURNS, DOANE, SWECKER & MATHIS, L.L.P.
P.O. Box 1404
Alexandria, VA 22313-1404

EXAMINER

JACKSON, JENISE E

ART UNIT	PAPER NUMBER
----------	--------------

2131

DATE MAILED: 05/18/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

47

Office Action Summary

Application No.

09/963,408

Applicant(s)

HASHIMOTO ET AL.

Examiner

Jenise E. Jackson

Art Unit

2131

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☒ This action is FINAL. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-19 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-4, 7-19 are rejected under 35 U.S.C. 102(e) as being anticipated by Steinberg et al(6,628,325).

3. As per claim 1, Steinberg et al. discloses a holding device (i.e. digital camera) which holds data(see fig. 1, sheet 1, ref # 12, col. 1, lines 45-47); a processing device(i.e. remote computer/location) which executes specific processing of data held by the holding device(i.e. digital camera) (see col. 1, lines 45-49, col. 2, lines 5-7, 40-43); and storage device which receives and stores data from the processing device(i.e. remote computer/location)(see col. 1, lines 55-60, wherein the holding device(i.e. digital camera) is provided with a first transceiver for communication with the processing device(i.e. remote computer/location)(see col. 2, lines 40-48, col. 4, lines 66-67, col. 5, lines 1-4), data memory for storing data(see col. 5, lines 26-30), and ID information memory storing ID information identifying the holding device(see col. 5, lines 26-34) wherein the processing device(i.e. remote computer/location) provided with second transceiver for communication with the holding device(see fig. 1, sheet 1, col. 4, lines 66-67, col. 5, lines 49-54, 66-67, col. 5, lines 1-4), and a processor for reading data from the data memory through the second transceiver and classifying the data based on the ID information as a save

Art Unit: 2131

group(see col. 5, lines 44-48, col. 7, lines 19-25, col. 8, lines 63-67, col. 9, line 1), and wherein the storage device stores the data classified by the processor the processing device(i.e. remote computer/location) in the save group corresponding to the ID information, wherein each save group corresponds to a respective ID information (see col. 5, lines 44-48, col. 8, lines 36-38, col. 11, lines 34-40).

4. As per claim 2, Steinberg et al. discloses wherein said processor of the processing device accesses data stored in the storage device based on ID information read from the data memory of the holding device through the second transceiver (see col. 5, lines 26-31, 44-48).

5. As per claim 3, Steinberg et al. discloses wherein said holding device is a digital camera, which photographs an object and generates and stores digital image data(see fig. 1, sheet 1, ref# 12, col. 1, lines 45-49).

6. As per claim 4, Steinberg et al. discloses wherein said storage device is provided within the processing device(see col. 8, lines 36-39, col. 11, lines 34-40).

7. As per claim 7, Steinberg discloses wherein said processing device and said storage device are connected to a communication network(see col. 1, lines 45-60).

8. As per claim 8, Steinberg discloses wherein said ID information is a unique identification number identifying the holding device(see col. 5, lines 26-35, col. 8, lines 11-12, 45-46).

9. As per claim 9, Steinberg discloses wherein said processor of the processing device allocates a memory area the storage device to each unique identification number, and said storage device stores data in the corresponding memory area in accordance with the unique identification number(see col. 5, lines 26-30, 44-52, col. 8, lines 63-67, col. 9, line 1).

Art Unit: 2131

10. As per claim 10, Steinberg discloses a data processor which receives and processes data from a data holding device(see col. 1, lines 45-49, col. 8, lines 63-67, col. 9, line 1); and a memory for storing data received from the data processor(see col. 1, lines 55-60, col. 8, lines 36-39, col. 11, lines 34-39), wherein the data processor is provided with data holding a transceiving unit for communication with a data holding device(see col. 4, lines 66-67, col. 5, lines 1-4), and a classification processing means for reading data from the holding device through the transceiving means classifying the data as a save group based on ID information identifying the data holding device(see col. 5, lines 44-48, col. 8, lines 36-38, col. 11, lines 34-40), and wherein the memory stores the data classified in the save group corresponding to the ID information by the classification processing means corresponding to the ID information, wherein each save group corresponds to a respective ID information(see col. 5, lines 26-30, 44-52, col. 8, lines 63-67, col. 9, line 1).

11. As per claims 11-12, Steinberg discloses communicating with data holding device and identifying ID information of the data holding device(col. 5, lines 44-48, col. 8, lines 36-38, col. 11, lines 34-40); classifying the data received from the data holding device based on the ID information as a save group, wherein the save group corresponds to a respective ID information (see col. 5, lines 44-48, col. 8, lines 36-38, col. 11, lines 34-40); and storing data classified in the classification step corresponding to the ID information(see col. 5, lines 26-30, 44-52, col. 8, lines 63-67, col. 9, line 1).

12. As per claim 13, Steinberg discloses a processing device which executes specific processing for data storing; and a storage device which receives and stores data by execution of the processing device(see col. 1, lines 43-55, col. 8, lines 36-39), wherein the processing device

Art Unit: 2131

which reads the ID information of a holding device connected to the data storing device, and stores data held by the holding device in a save group corresponding to the ID information of the holding device, wherein the save group is held in the storage device(see col. 5, lines 47-53, 57-62, col. 8, lines 42-54) .

13. As per claim 14, Steinberg discloses the processing device creates a save group corresponding to the ID information of the connected holding device on the storage device when no save group corresponds to the ID information of the connected holding device(see col. 5, lines 47-53, 57-62).

14. As per claim 15, Steinberg discloses a display for displaying an image corresponding to a stored data associated with the save group corresponding to the ID information of the connected holding device(see col. 5, lines 47-52, 57-62, col. 9, lines 38-43).

15. As per claim 16, Steinberg discloses the holding device is a digital camera, which photographs an object and generates and stores digital image data(see col. 1, lines 43-55, col. 2, lines 22-26).

16. As per claim 17, Steinberg discloses reading ID information of a digital camera connected to a data storing device by a processing device, the processing device being included in the data storing device; storing image data held by the digital camera in a save group corresponding to the ID information of the digital camera, the save group being held in a storage device that is included in the storing device(see col. 5, lines 47-53, 57-62).

17. As per claim 18, Steinberg discloses the processing device creates a save group corresponding to the ID information of the connected digital camera on the storage device when

Art Unit: 2131

there is no save group corresponding to the ID information of the connected digital camera (see col. 5, lines 47-53, 57-62).

18. As per claim 19, Steinberg discloses displaying an image corresponding to a stored data associated with the save group corresponding to the ID information of the connected digital camera on a display, the display being included in the storing device(see col. 5, lines 47-52, 57-62, col. 9, lines 38-43).

Claim Rejections - 35 USC § 103

19. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

20. Claims 5-6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Steinberg et al. in view of Inoue et al.(6,273,535).

21. As per claim 5, Steinberg et al. does not disclose wherein said processing device is provided with a printing mechanism printing data read from the storage device. However, Inoue et al. does disclose wherein said processing device is provided with a printing mechanism printing data read from the storage device(see col. 4, lines 36-40). It would have been obvious to one of ordinary skill in the art at the time of the invention to include a printing mechanism of Inoue with Steinberg, the motivation to have a printing mechanism is that a digital camera is able to be connected to a printer via a host computer in order to print the images(see col. 1, lines 12-17 of Inoue). A printing mechanism gives a user a tangible copy of the image.

Art Unit: 2131

22. Same motivation applies above, As per claim 6, Steinberg et al. discloses ID information read from the data memory of the holding device(see col. 5, lines 26-34). However, Steinberg does not disclose wherein said printing mechanism print data after the read data. Inoue discloses printing mechanism print data after the read data(see col. 4, lines 36-40).

Response to Amendment

23. The Applicant states that Steinberg does not disclose classifying and storing data that is received from a device based on ID information as a save group, wherein each of the save groups corresponds to a respective ID information. The Examiner disagrees with the Applicant. Steinberg discloses that the camera ID is included along with the image data(see col. 5, lines 47-48). A unique number is assigned to each image in Steinberg(see col. 5, lines 50-52).
24. As per the Applicant remarks as per newly added claims 13-19(see above).

Final Action

25. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37

Art Unit: 2131


CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Conclusion


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jenise E. Jackson whose telephone number is (571) 272-3791. The examiner can normally be reached on M-Th (6:00 a.m. - 3:30 p.m.) alternate Friday's.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz Sheikh can be reached on (571) 272-3795. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



May 15, 2005


AYAZ SHEIKH
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100